

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-20 are pending. Claims 1, 5, 11, 14, and 15 are amended. Claims 1, 9, and 11 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by placing the claims in compliance with 35 U.S.C. § 112, second paragraph. This Amendment was not presented at an earlier date in view of the fact that the Examiner has just now presented new grounds for rejection in this Final Office Action.

Allowable Subject Matter

The Examiner states that claim 9 is allowed;
claims 16-20 would be allowable if rewritten or amended in independent form;
claims 2-4, 6-8 and 10 would be allowable if rewritten in independent form and to overcome the rejection under 35 U.S.C. § 112, second paragraph;

claim 1 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph.

The Applicants thank the Examiner for the indication of allowable subject matter in this application. In response,

independent claim 1 has been rewritten in independent form and to overcome the rejection under 35 U.S.C. § 112, second paragraph, and

independent claim 11 has been amended to recite a combination of elements not suggested by the references cited by the Examiner.

Accordingly, independent claims 1, 9, and 11 are in condition for allowance.

Information Disclosure Citation

An additional IDS is being filed concurrently with this Amendment to supply copies of the references disclosed in paragraphs [0003] and [0004] of the specification as originally filed on July 1, 2003. Since these references were disclosed when the present application was filed on July 1, 2003, no fee is required. Acknowledgement of this additional IDS is respectfully requested in the next official communication.

Drawings

It is gratefully appreciated that the Examiner has accepted the drawings.

Rejection Under 35 U.S.C. § 112, second paragraph

Claims 1-8, 10, and 15 stand rejected under 35 U.S.C. § 112, second paragraph. This rejection is respectfully traversed.

In order to overcome this rejection, Applicants have amended claims 1, 5, and 15 to address each of the issues pointed out by the Examiner. Applicants respectfully submit that the claims, as amended, particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Therefore, independent claim 1, and the claims depending there from are in condition for allowance. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejection Under 35 U.S.C. §103(a)

Claims 11-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rasidescu et al. (U.S. 6,851,691) in view of Morita et al. (U.S. 4,836,324). This rejection is respectfully traversed.

While not conceding the appropriateness of the Examiner's rejection, independent claim 11 has been amended to recite a combination of elements directed to an engine support structure, including *inter alia*

wherein the vehicle body frame surrounds front and rear sides and upper and lower sides of the oscillation mechanism, the suspension arms, and the engine in side view.

Support for the novel features set forth in independent claim 11 can be seen, for example, in FIGS, 1, 2, and 5.

With this novel configuration, since a portion of the vehicle body frame is placed behind the oscillation mechanism, the suspension arms, and the engine, the vehicle body frame can protect the oscillation mechanism, the suspension arms, and the engine.

By contrast, as can be seen in Rasidescu FIG. 7, this document merely discloses a frame 110 that is completely different.

At least for the reasons above, independent claim 11 is not taught or suggested by the references cited by the Examiner, including Rasidescu

Therefore, independent claim 11 is in condition for allowance.

The Examiner will note that dependent claims 5, 14, and 15 are amended to place them in better form.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

*Application No. 10/609,414
Amendment dated May 31, 2006
Reply to Final Office Action of March 1, 2006*

*Docket No.: 0505-1207P
Art Unit 3616
Page 13 of 13 pages*

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

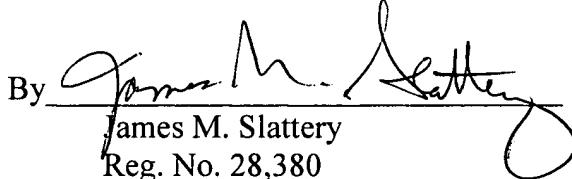
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Dated: May 31, 2006

Respectfully submitted,

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